

The Bill Blackwood Law Enforcement Management Institute of Texas

The Push Towards Assessment Center Promotional Testing

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ABSTRACT

In recent years, the law enforcement profession as a whole has come under an unprecedented level of scrutiny by both the media and society. The trust that has long been a staple of the police and the community they serve has been fractured. The importance of hiring the best, most qualified candidates is a priority for many law enforcement agencies throughout the country. Unfortunately, the same cannot be said of promoting line level officers to the supervisory ranks. While there are a number of agencies that have embraced the concept of a rigorous selection process for supervisors, most rely on either an appointment process or a simple examination. Texas law enforcement agencies should consider adopting a standardized alternate promotional system rather than relying solely upon a written examination or by simple appointment.

Law enforcement agencies across the state would be better served in adopting an alternate promotion plan, thereby allowing the best, most qualified personnel to advance into the supervisory ranks. The assessment center approach puts the focus on the totality of an officer's career versus a one-dimensional approach. Promotions based upon favoritism would become obsolete and those officers being promoted based upon their ability to merely test well would be no more. The answer is clear and the negatives are few. Law enforcement must shift their attention and their resources toward promoting the best, most qualified supervisors.

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INTRODUCTION

More than ever before, the law enforcement community has fallen under the microscope of public scrutiny to an extent rarely seen in the history of the United States. Beginning in 2014, negative media attention, coupled with an unprecedented number of officer arrests, has brought into question the integrity of the profession as a whole. Law enforcement executives across the country are being challenged daily by both media outlets and the citizens they are charged with protecting. Public confidence is seemingly at an all-time low. As a result, morale in many departments is noticeably more somber and turnover is commonplace (Ybarra, 2015).

Departments across the nation have always placed a high priority on hiring the most qualified applicants, and rightfully so. Citizens have an expectation that the new officers hired will be of the highest moral fiber and trust that their local police departments are putting the most qualified personnel on their streets. Sadly, the same cannot be said of the internal promotional processes effecting first line and middle management positions. The law enforcement promotional process in Texas is as varied as the landscape. While some agencies employ the practice of simply appointing a supervisor at the will of the chief executive, others rely upon a written examination. It is incumbent upon all state law enforcement agencies to put the most qualified personnel in positions of supervision. Negligent supervision claims can often times be traced back to the actual promotional process of the agency itself. Texas law enforcement agencies should consider adopting a standardized alternate promotional system rather than relying solely upon a written examination or by simple appointment.

POSITION

Most law enforcement officers enter the profession of policing with dreams of grandeur and a strong desire to bring about positive change within the communities they serve. As of May 2015, the United States Bureau of Labor and Statistics reported that Texas ranks second nationally with the number of active peace officers with almost 61,000 law enforcement officers, trailing only California (Bureau of Labor Statistics, 2016). It has literally become an industry unto itself. Perhaps what is not seen within these numbers is the importance, or in some cases the lack thereof, placed upon the supervision in the over 1,900 departments throughout Texas (Bureau of Labor Statistics, 2016). With liability on the rise, now more than ever executives must put forth every effort to ensure that the men and women entrusted with making supervisory decisions on a daily basis are the best, most qualified ones.

If one were to poll agencies throughout the state and inquire as to what methods are being used to determine the promotional selection criteria, the responses would be numerous as there is no single system. Methods most commonly found are the appointment method, written examination, and seniority based promotions. The appointment method is a practice in which the chief executive of the department arbitrarily selects the candidate of their choice and subsequently promotes he or she. The examination process involves eligible personnel to compete in a written examination with the officer(s) scoring the highest ultimately being promoted in order of score. Still other departments promote based on seniority, which means an officer may only promote after they reach the highest level of seniority in their respective position and an opening at the next highest level becomes vacant. Given the amount of scrutiny

placed upon law enforcement agencies in modern times, the practice of simply promoting without the benefit of a comprehensive review of that person's history, strengths, and weaknesses is to simply invite scrutiny and is detrimental to morale.

Law enforcement agencies across the state would be better served in adopting an alternate promotion plan, thereby allowing the best, most qualified personnel to advance into the supervisory ranks. Rather than focusing on one single dimension, the criteria for selection would expand into other areas such as work history, commendations, disciplinary actions and writing skills to name a few. The fruits of this approach would be enjoyed by both the applicant and the department as each would either be able to provide or be provided a comprehensive overview of the officer's career and accomplishments. This could be accomplished in a variety of different ways.

Take assessment centers for instance. Hughes (2010) shined a light on the modern need to place a strong emphasis on the promotional process when he said, "In today's world, a need exists to research and create changes to both the design of these agencies and the process to promote future leaders" (p. 4). Hale (2005a), a leading advocate for assessment centers (AC), describes the advantage of the center as "one of the unique characteristics of the assessment is that it ensures that all candidates will be evaluated impartially, fairly and objectively based upon their demonstrated ability to perform the tasks necessary to succeed in their potential new positions" (p. 86).

Many of the larger agencies, and indeed the private sector, have been using the assessment center approach for some time. The lure of adopting processes such as the AC approach is that the selection process is not focused on a sole area, but rather a comprehensive overview of the potential promotional applicant's career. The

mechanism usually begins with some type of competitive written examination, whereas the applicant must make a minimum score in order to be eligible to proceed to the next phase. Texas civil service agencies do have set criteria in that the written examination must be 100 questions with a minimum passing score of 70 (Tex. Loc. Gov. Code §143.033). The examination would account for approximately 40% of the overall final rating score.

The oral interview phase would follow the examination and would be comprised of three to four members, all of which would be external to the department in which the process is being held (Lewis, 2016). Hale (2005b) promoted appointing qualified and diverse evaluators and, in doing so, impartiality would thereby enter into the equation and all applicants would enter the interview without any pre-conceived notions (p. 80). The interview portion can, but is not limited to, an in-basket exercise followed by a written response to a problem. No names are written on the written response forms and therefore the evaluators are ranking them based upon the quality of the response and not the impression that each candidate would have made to that point in the interview. Lastly each candidate would be interviewed for a specified amount of time, and each would be asked the same questions. Ultimately the interview portion of the assessment would account for 60% of the final rating (Lewis, 2016). However, it cannot be overstated how important it is that the evaluators receive training in advance (Martinelli, 2013). Joiner (2000), in an article about assessment center guidelines and ethical considerations addressed the concern by stating, "Assessor training is an integral part of the assessment center program. Assessor training should have clearly stated training objectives and performance guidelines" (p. 11). A failure to properly train

evaluators could prove to undermine the entire alternate process. Rutherford (2010) went further by stating that if alternate systems were in place such as an assessment center and if officers actually had the process explained in detail, then the incentive to work hard based upon the expectations would then be deeply ingrained in them from the beginning of their career. They would then actually groom themselves for future leadership opportunities both through education and training. Truly an officer with the internal motivation to learn and enhance his portfolio is beneficial to both the officer and the agency they work for.

The impetus for implementing such a process and another advantage of adopting an alternate promotional system is the elimination of the favoritism practices that may be present in agencies throughout the state. Often times competent and productive officers, who under normal circumstances would be motivated to promote, are instead deterred from doing so because the culture in their department is one that predetermines who will be promoted and when based upon a pre-existing relationship with the supervisory staff. It also brings into question of whether or not an appointment, based solely on what some would view as a beneficial friendship, is ethical at all (Martinelli, 2013). While it is difficult to change the culture of a department from within, it can be done and, in many cases, certainly has. The adoption of an alternate process would ultimately eliminate favoritism and, in the end, better serve the department and the community at large.

Another catalyst for change and a major stumbling block for would-be supervisors is the reality that not everyone is a good test taker. Further, many would argue that the ability to take and pass a written examination is not an indicator that the

candidate would be a good supervisor as often times the information given on a written examination has little or nothing to do with the act of supervision. In a study conducted by Becton, Field, Giles, and Jones-Farmer (2008), they noted that both White and African-American candidates favored the situational interview and overwhelmingly felt it to be more job related than the written examination. Their research further focused on the difference between African-American officers and White officers when testing for promotion and found that while African-American candidates were more motivated to test for promotion, they performed more poorly on written examinations (Becton, Field, Giles, & Jones-Farmer, 2008). Becton, Field, Giles, and Jones-Farmer (2008) findings indicated a disparity and, if that is the case, then certainly agencies must consider this and do everything within their power to rectify this deficiency in the promotional process. Terpak (2008) further reiterated this by stating that while multiple choice written examinations have the benefit of being relatively simple to develop and are defensible in court should a candidate appeal, they are not good tools to effectively test the knowledge and aptitude of the test taker.

Another advantage of an alternate promotional system is the fact that if done properly, the line-level officers may have the opportunity to draft and adopt a process that works for their respective department. The ability to construct and ultimately adopt an alternate process is available to every department in the state, regardless of size. Civil service organizations may also do so, as long as the alternate system proposal is put to a vote with a majority passing (Tex Loc. Gov. Code §143.035). By incorporating the input and participation of the officers into the actual process, command staff would enjoy support from the bottom up. When officers feel they are valued and treated as a

commodity rather than an expendable resource, their satisfaction level increases and morale improves.

COUNTER POSITION

Some would argue that an alternate promotional system, such as an assessment center, could be tainted in that the evaluators would only get a brief snapshot of an officer and, consequently, would base their recommendation of a candidate on a 45-minute interview. The concern centers on the fact that previous actions or patterns an officer displays often times reveal how that officer will behave in the future (Bishopp, 2013). Simply stated, if an officer has displayed a pattern of deficiencies in the past, the officer will continue to the same pattern in the future. Lewis (2016) conducted many interviews of both line level supervisory personnel and solicited feedback on the alternate promotional process. He stated that one of the primary arguments presented was that a basic interview, in-basket exercise, or written evaluation would simply not provide the whole picture. The end result would be that an incompetent officer could theoretically interview well and potentially come out on top of the promotional list. Because the evaluators have no personal knowledge of the candidates, they would not be aware of the candidate's shortfalls.

However, that is simply not the case if the process is done properly. It is imperative that once a system is adopted, that it tests the job related skills of the rank for which it is in place to do. A position description within a department should be given to each candidate and the assessment center interview should pertain to only those skills related to the position being sought. If the evaluators are properly trained, and if the process is specifically designed to assess the particular job responsibility, then truly

the more qualified candidate would rise to the top. Caldwell, Gruys, and Thornton III (2003) responded to this issue when they said, “the duty of competence is honored if the job analysis is conducted to determine job-related skills, if center exercises are designed to measure the resulting dimensions, and if assessors are properly trained” (p. 236).

Additionally, each candidate's complete work summary would be included with the review materials presented to the evaluators. This would serve to give the assessors additional insight, both good and bad, into the backgrounds of the candidates. In many departments, each candidate must obtain his or her personal records from the training, patrol, and office of professional standards offices to accompany their assessment packet. Once the packets are completed and verified, they are then sealed and delivered to the evaluators. Transparency is then front and center, and any deficiencies that surface are revealed on all candidates, thereby alleviating any concerns that a poor performer will somehow rise to the top based solely on the interview facets of the process (Lewis, 2016).

A second argument that surfaces when looking to adopt a new promotional process is that the process is too complicated and time consuming. Because assessment centers contain many different components in addition to a written examination, officers view it as being cumbersome and not worth the effort (Phelps, 2016). In reality, nothing could be further from the truth. For a department to begin the exploratory process, they must first have the consent and assurance of the chief executive that if a mutually agreeable method is developed, the administration will support the transition to the new process. With the amount of departments across the

state actually utilizing an alternate process, a committee could quickly be formed and examples could be obtained from agencies, both large and small, via electronic mail. The committee members would then choose the best methods for their respective department, modify as needed, and then present the recommendation to their command staff for approval.

Recently the Texarkana, Texas Police Department underwent such a process (Lewis, 2016). Starting in early May 2016, the two police associations met with the chief of police and all agreed that exploring alternatives was in the best interest of the department. A month later, a proposal was sent and subsequently accepted by the chief. Because Texarkana is a civil service agency, they must now put the proposal to a vote to the entire department. If the proposal gets a 51% approval vote, the civil service commission will then adopt the measure (Tex. Loc. Gov. Code §143.035). At-will agencies would be able to explore, amend and recommend an alternate plan within the same time period or less given that they would not need to adhere to the same criteria as their civil service brethren.

RECOMMENDATION

The state of Texas employs well over 60,000 law enforcement officers (Bureau of Labor Statistics, 2016). The supervisory role is one of the most important positions within each and every department. For too long the importance of placing the most qualified and effective personnel in positions of authority has gone unnoticed in the law enforcement profession. Rather than adhering to simply a written exam or an appointment process, Texas agencies should consider adopting a standardized

alternate promotional system in an effort to enable a successful transition for the potential supervisory candidates.

There are several arguments to support this conclusion. The inception of an alternate promotional system would modify the process in such a way so as to promote the best, most qualified candidates for what is undoubtedly one of the most important positions within any department. By looking at one's work history in its totality, coupled with an assessment of some type, evaluators and commanders would be given a much broader picture of the candidate and therefore would be able to effectively promote a higher caliber supervisor.

Acts of cronyism would be all but eliminated in the promotional process as well. The inclusion of external evaluators coupled with job related skill assessments have proven to be a reliable assessment of the applicant's knowledge and abilities and are seen as favorable by those participating in the actual process (Hale, 2005b). It would also eliminate the appearance of impropriety and ethical quandaries brought on by rewarding subordinates based on nothing more than a personal relationship.

While civil service agencies must adhere to a written examination for now, adding a second dimension would allow for a more level playing field for all candidates. The ability to showcase their work history and job knowledge would truly benefit both the officer and the agency. Sadly, studies have shown that written tests, by themselves, benefit White candidates more so than their African-American counterparts (Bishopp, 2013). The caveat is that if it is to be a true and objective interview, there must be external evaluators. Those evaluators must also be trained properly and the process fully explained to every participant.

The inclusion of all department members into the development of an alternate promotional system is perhaps the greatest benefit of all. By doing so, the percentage of challenges to the process would be reduced and there would be a sense of ownership throughout the rank and file of the department. As stated, assessments are often viewed as a more valid measuring tool than just a written examination.

Some would argue that even an assessment center would be vulnerable and consequently work against the greater good. The basis of this argument is that an officer may present himself in such a manner that he would appear to be a much stronger candidate than his record would reveal. By giving a stellar interview, a candidate could potentially sell himself, perhaps better than others, resulting in a questionable recommendation for promotion. Several researchers came to the same conclusion by stating that if the assessors are properly trained and truly unbiased, the results will speak for themselves and candidates will exit the interviews with a positive impression of the process and ultimately the best candidate would be revealed (Hale, 2005b; Bishopp, 2013; Hughes, 2010).

Lastly, the argument could be made that some smaller departments may not have the time or resources to develop an alternate promotional system. That argument was rendered void by the example given of the Texarkana Police Department. With the amount of agencies already having implemented alternate promotional systems, there would be numerous examples with which to review and sample from.

Because of the massive undertaking of exposing every department to the opportunities available via an alternate promotional system, the Texas Commission on Law Enforcement (TCOLE) would most certainly need to become involved. While there

truly is no one best system for every agency, TCOLE could simply provide examples of verified templates for agencies to follow and make them available via their website.

TCOLE would then work with the police officer associations across the state to garner visibility and to educate the officers on the benefits surrounding such a change. For such a change take a foot hold, the cultural shift would need to start at the line level and integrate slowly from there throughout each agency. The answer is clear and the negatives are few. Law enforcement must shift their attention and their resources toward promoting the best, most qualified supervisors. While there are no absolutes, there are much more efficient and tested alternatives to one of the more pressing issues in modern law enforcement, that of supervision.

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